

REMARKS

The Examiner's communication dated April 18, 2005 has been received and carefully considered. In conformance with the applicable statutory requirements, this paper constitutes a complete reply and/or a bona fide attempt to advance the application to allowance. Specifically, claims 1, 15 and 20 have been amended. Claim 22 has been added. Reexamination and/or reconsideration of the application as amended are respectfully requested.

Summary of the Office Action

Claim 15 was objected to for a minor informality.

Claim 20 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 15-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pettinga et al. (US 4,679,368).

Claims 1-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pettinga et al. in view of Latvis et al. (U.S. Patent No. 5,734,148).

Claim Objections

Claim 15 has been carefully amended to overcome the informality objected to by the Examiner.

35 U.S.C. §112

Claim 20 has been carefully amended to overcome the informality objected to by the Examiner.

The Claims Distinguish Patentability Over the Reference(s) of Record

Claim 1, as amended, calls for two hooks connected to a door and received in at least one slot for removably mounting the door to a housing. The two hooks are spaced apart from one another a fixed first distance. Original claim 1 was rejected by the Examiner over Pattinga et al. (hereinafter "Pattinga"). Pattinga discloses hooks 90,116

including a first hook 90 that is movable relative to a second hook 116; thus, the hooks 90,116 are not spaced apart from one another a fixed first distance (the distance changes depending on the position of hook 90).

Accordingly, for at least this reason, Applicant submits that claim 1 and **claims 2-9** dependent therefrom are now in condition for allowance.

Claim 10 calls for first and second hooks each having first ends hooked onto a hanger member and opposite ends connected to a door thereby hanging the door from the hanger member. The Examiner asserts that Pattinga discloses a slidable door 12 and “a track member (hanger rails 28) defining notches and slots onto which the door slides.” *Office Action at 3*. In Pattinga, the panel 12 includes hanger rails 28 integrally formed therewith. Because the hanger rails 28 are integrally formed, it is impossible for the panel 12 to be hung from the hanger rails 28.

Additionally, the hooks of claim 10 are to be slidable on the hanger member to move the door between an open position and a closed position. The hooks 90,116 of Pattinga are not attached to the hanger rails 28, nor even positioned near the hanger rails. Thus, the hooks 90,116 cannot be said to be slidable on the hanger rails 28 to move the door. Close examination of Figures 2 and 3 of Pattinga easily confirms that the hooks 90,116 are not slidable on the hanger rails 28.

Moreover, the limitation of claim 10 calling for the first hook to be removable from the hanger member only when the door is moved to a first hook removal position and the second hook to be removable from the hanger member only when the door is moved to a second hook removal position which is spaced apart from the first hook removal position is missing from Pattinga. As already stated, the hooks 90,116 of Pattinga are not connected to the hanger rails 28 and therefore cannot be removable from the hanger rails 28.

Accordingly, for at least these reasons, Applicant submits that claim 10 and claims 11-14 dependent therefrom distinguish patentably over the references of record.

Claim 15 continues to call for a track member mounted to a housing and a door slidably movable along the track member. In rejecting claim 15, the Examiner asserts that Pettinga discloses a slidable door 12 and “a track member (hanger rails 28) defining notches and slots onto which the door slides.” *Office Action at 3*. Applicant respectfully asserts that the Examiner has misapplied Pettinga to claim 15. With reference to Figures 2 and 3 of Pettinga, a panel 12 is shown that includes hanger rails 28 integrally formed

therewith. The hanger rails 28 "function as a means of support for a variety of work accessories" which removably engage the hanger rails 28 through downwardly depending hooks. *Pettinga col. 4, lines 58-68.* The Pettinga panel 12 is not slidably moveable along the hanger rails because the hanger rails form a part of the panel 12.

Moreover, claim 15 calls for first and second notches to be defined in a track member. Under the Examiner's application of Pettinga, the slots 16 and 17 would need to be in the hanger rails 28. However, the slots 16,17 are defined in the vertical standard 14 to which the panel 12 is secured. *Pettinga col. 4, lines 21-31; see also Pettinga figures 3 and 4.* Thus, Pettinga fails to disclose first and second notches defined in a track member.

Additionally, claim 15 calls for the locations of the first and second notches to prevent the first and second hooks from being simultaneously aligned with the first and second notches. In Pettinga, the hook 116 is always aligned with the notch 17 (see figures 2 and 3) and hook 90 is selectively alignable with notch 16. *Pettinga col. 7, lines 23-37.* Applicant submits that when hook 90 is aligned with notch 16, hook 116 is simultaneously aligned with notch 17; thus, the locations of the notches 16,17 fails to prevent simultaneous alignment of the hooks 90,116 with the notches 16,17, as required by claim 15.

For at least these reasons, Applicant submits that claim 15 and **claims 16-20** dependent therefrom distinguish patentably over Pettinga.

Claim 21 calls for a door slidably movable along a track member. As discussed above, Pettinga fails to disclose a door slidably movable along a track member. Rather, Pettinga discloses a panel 12 having hanger rails 28 integrally formed therewith for hanging a variety of work accessories. Moreover, claim 21 calls for first and second notches to be defined in a track member. As already discussed, the notches 16,17 are not defined in the hanger rails 28. Rather, the notches 16,17 are defined in vertical standard 14.

For at least these reasons, Applicant submits that claim 21 and new **claim 22** dependent therefrom are in condition for allowance.

CONCLUSION

All formal and informal matters having been addressed, it is respectfully submitted that this application is in condition for allowance. It is believed that the claim changes clearly place the application in condition for allowance, defining over any fair teaching

attributable to the references of record. Alternatively, if the Examiner is of the view that the application is not in clear condition for allowance, it is requested that the Examiner telephone the undersigned for purposes of conducting a telephone interview to resolve any outstanding differences. Accordingly, an early notice of allowance is earnestly solicited.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP


July 6, 2005
Date


Robert V. Vickers, Reg. No. 19,504
Erik J. Overberger, Reg. No. 48,556
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2579
216-861-5582

CERTIFICATE OF MAILING

Under 37 C.F.R. § 1.8, I certify that this Response to Office Action is being

- ☒ deposited with the United States Postal Service as First Class mail, addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ transmitted via facsimile in accordance with 37 C.F.R. § 1.8 on the date indicated below.
- ☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:	Signature 
Date July 6, 2005	Printed Name Audrey M. Dragony